

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
)	
v.)	CRIMINAL ACTION
)	NO. 05-40025-FDS
NYDIA SHARAIL BERNABEL and)	
MATTHEW MARSH,)	
Defendants,)	
_____)	

STATUS REPORT
September 30, 2005

SWARTWOOD, C.M.J.

The following is a Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

Completed.

2. Plea Negotiations

Counsel for the parties requests additional time to initiate and complete discussions in order to determine whether or not this case can be resolved without a trial. I have granted that request.

2. Further Status Conference

A further status conference shall be held in this case on November 9, 2005, at 2:30 p.m., in Courtroom 1, Donohue Federal Building, United States Courthouse, 595 Main Street, Worcester, Massachusetts.

3. Excludable Time

At the request of the Government and with the assent of counsel for the parties, I am excluding from the Speedy Trial Act, the period from September 14, 2005 (date of expiration of prior order of excludable time) through November 9, 2005 (date by which the Government should determine whether or not this case will be resolved without a trial). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Wednesday, January 18, 2006.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE